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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,708	12/29/2003	Holger Hein	P2001,0450	5889
24131	7590	08/10/2005	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			THOMPSON, GREGORY D	
			ART UNIT	PAPER NUMBER
			2835	
DATE MAILED: 08/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/747,708	HEIN, HOLGER	
	Examiner	Art Unit	
	Gregory D. Thompson	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 May 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-3 and 8-11 is/are rejected.
 7) Claim(s) 4-7 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3,8-11 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Cheng.

Cheng discloses a computer 5(s) with a cooling air guide composed of a connecting part consisting of the unnumbered hood attached to the top of fan 42 attached to the computer through which cooling air enters and a hood or cover 41 placed over component (CPU) 50 which conducts the cooling air from the connecting part to component 50. Hood 41 is fastened in a laterally moveable manner (fastened movably) to the connecting pad by air-in tube 43 which is flexible as shown in fig. 3 and 4. Tube 43 is a common bellows type flexible pipe that allows for lateral movement. Hood 41 would have a U-shaped cross section as would be seen in fig. 4 when a cross sectional view is taken through hood 41 in fig. 4. Hood 41 is matched in width with the size of component 50. Hood 41 is closed on at least an end side. Regarding claim 9, hood 41 has a connection or outlet 41 1 for receiving a cooling air hose 44, col. 2, lines 55-60. Regarding claim 10, the connecting part is connected to fan 42. The added language of adjoining is considered very broad. The unnumbered hood is adjoined by tube 43, outlet 410 and unnumbered outlet on the unnumbered hood to hood 41 in figs. 3 and 5 just as hood 2 is adjoined by hinges 3 to connecting part 1 of instant case.

2. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The cited art does not teach nor suggest film hinges fastening the hood to the connecting pad, hinges are parallel, tabs on the connecting pad preventing air from exiting the side of the air duct of the connecting part as claimed in claims 4 -7.

Response to Arguments

3. Applicant's arguments filed 5/31/05 have been fully considered but they are not persuasive. The unnumbered hood is adjoined by tube 43,outlet 410 and unnumbered outlet on the unnumbered hood to hood 41 as discussed above in paragraph 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory D. Thompson whose telephone number is (571) 272-2045. The examiner can normally be reached on M-Thur from 6:00AM to4:30 PM .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800,ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Gregory D. Thompson
Primary Examiner

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).